

HARDEEVILLE BOARD OF ZONING APPEALS

MEETING MINUTES

May 21, 2019

4:00PM

**Present:** Vice Chairman Jerry Garner, Board Member Roy Wood, Board Member David Davis

**Staff:** Planning Director Brana Snowden, Long Range Division Manager Katie Woodruff, Planner Kiel Jenkins, Permit Technician Christopher Boyd

**I. Call to Order**

Vice Chair Garner called the Board of Zoning Appeals to order at 4:01 PM.

**II. Invocation and Pledge of Allegiance**

Board Member Wood lead the invocation and the Pledge of Allegiance

**III. Approval of Agenda**

Vice Chair Garner asked for a motion to approve the Agenda with an amendment to add the Minutes from the October 9, 2018 to Old Business.

**IV. Old Business**

**A. MINUTES**

Board Member Wood made a motion to approve minutes, Board Member Davis seconded that motion. All were in favor

**V. New Business**

**A. CONSIDERATION OF A VARIANCE REQUEST TO CONSTRUCT A GARAGE THREE FEET FROM THE PROPERTY LINE WITHING THE SETBACK OF PARCEL 029-44-05-008 LOCATED AT 114 HORTON STREET IN THE SINGLE-FAMILY RESIDENTIAL ZONING 2 ZONING DISTRICT**

Planner Jenkins gave a PowerPoint presentation on the Variance request. Planner Jenkins introduced the applicant Mr. Hudson to the Board.

Mr. Hudson stated that he really needed to build this garage to help take care of his mother in laws property which is next door. Mr. Hudson stated that she does not have any storage

and his mother in law does not have any storage. Mr. Hudson stated that he would like to build a 2-story garage mainly for storage.

Mr. Hudson stated that the main floor would be built 10 feet high so that his truck could be worked on inside of the garage.

Board Member Wood asked Mr. Hudson if he currently lived there? Mr. Hudson stated that he did. Board Member Wood said he did not see anyone that had an objection.

Planner Woodruff stated that Mr. Hudson submitted a letter from his mother in law and it will be considered a piece for public comment.

Vice Chair Garner stated that he went out and looked at the area and saw that there were several homes that had front facing garages and he could see that storage would be an issue.

Board Member Wood stated that he drove by as well and he was inclined to approve, but the variance is this 3 feet and asked if any other residents had encroached on this 3 feet and if we had a precedent.

Planner Woodruff stated that because the required setback on the side is 10ft and because this is such a large deviation it can't be approved at staff level which is why it was brought before the Board for review. If anyone else wanted to have a 3ft deviation they would also have to come before the Board.

Planner Woodruff explained that they put the 3ft because they can't go below the 3 feet due to the International Fire Code and Building Code requirements. Even with the 3 feet there are some firewall requirements to insure the safety of the neighboring property in the event of a fire.

Mr. Hudson asked if that 3 feet included the overhang?

Planner Woodruff stated that she believed that it did, but the Building Official would have to determine that and then stated that she is hearing no it does not include that.

Planning Director Snowden stated that the eaves can overhang but may require certain materials. But the Building Official and Fire Marshall would make that call.

Vice Chair Garner asked if there has been a similar type of approval?

Planning Director Snowden stated that most of that neighborhood was built prior to the existence of the Planning Department, so it looks like there has been encroachment into the setback, but not since we have been here keeping records of it.

Board Member Wood asked if the staff had any objection?

Planning Director Snowden stated that she does not believe that it would have an impact on that neighborhood and does not that his situation is unique so that is why it is brought to the Board to see if it will have an adverse impact or not.

Mr. Wood asked if it had to qualify in a certain way. Planning Director Snowden stated that, that was for the Board to determine.

### **Public Comment**

Vice Chair Garner asked if there was any Public Comment? Planner Woodruff read the written statement for from Delores Baker.

Vice Chair Garner stated that his only concern was that the City doesn't get jazzed up and think well ok let's require a firewall.

Planner Woodruff stated that per the code it is based on the actual property line and based on how far buildings are set apart. We have to go from the property line when we consider that, from a staff and zoning perspective we are not allowed to talk about property ownership necessarily because that could change in the future.

Planning Director Snowden stated that was a very good point and as far as zoning goes, we only look at property lines and we do not look at ownership. Also, the Building Official and Fire Marshall will make the call on how that garage is built not the zoning department.

Board Member Davis asked in the future if Mr. Hudson planned on closing in the garage?

Mr. Hudson stated that it is going to be a closed in garage.

Board Member Wood made a motion to approve because the garage will have no adverse impacts on the appearance or character of the neighborhood. Board Member Davis seconded that motion. All were in favor.

#### **VI. PLANNING DIRECTOR'S REPORT**

Planning Director Snowden stated that Mr. Gooding was our Code Enforcement and Permit Tech and left to go to Hilton Head and we have since replaced him with Lou Nouvak.

Planning Director Snowden stated that the Comprehensive Plan had been submitted to the Planning Commission and we are waiting for comments and will have a workshop.

Planning Director Snowden stated that hopefully in July they will be starting with the Whyte Hardee Boulevard Masterplan.

#### **VII. Board Member Comments**

Board Member Davis stated that on there are some Board Members that have expired terms.

Planning Director Snowden stated that she received notice of the expired terms and that the they would be receiving written notice and that there are a few applications in place.

Planning Director Snowden also stated that they wanted to make sure that everyone had their certifications for the training that they need and get Council to re-appoint or appoint new.

Vice Chair Garner asked if there were any further comments? There were none.

#### **VIII. ADJOURNMENT**

Vice Chair Garner asked for a motion to adjourn. Board Member Wood made a motion to adjourn, Board Member Davis seconded that motion. All were in favor at 4:27pm.

